

**REMARKS**

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-56 were pending in the application, of which Claims 1, 15, 28, 41, and 49 are independent. In the Office Action dated April 23, 2003, Claims 1-56 were rejected under 35 U.S.C. §112, Claims 1, 3, 5, 7, 15, 17, 20, 28, 30, 33, 41-42, 44, 49, 50, and 52 were rejected under 35 U.S.C. §102(e), and Claims 2, 4, 6, 12-14, 16, 18, 19, 25-27, 29, 31-32, 38-40, 43, and 51 were rejected under 35 U.S.C. §103(a). In addition, the specification was objected to. Following this response, Claims 1-66 remain in this application. Applicants hereby address the Examiner's rejections in turn.

I. Objection to the Specification

In the Office Action dated April 23, 2003, the Examiner objected to the specification because it contains embedded hyperlinks. The specification has been amended to either remove the hyperlinks or, to the best of Applicants' knowledge, to include text that does not either produce a hyperlink or does not produce a hyperlink to a commercial website. Applicants respectfully submit that the amendment overcomes this objection and adds no new matter.

In addition, the Examiner objected to the specification under 35 U.S.C. § 112, first paragraph, as failing to support the subject matter set forth in the claims.

Applicants respectfully submit that this objection has been overcome for the reasons set forth below in sections II, III, and IV, and therefore, should be withdrawn.

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II. Rejection of the Claims Under 35 U.S.C. §112, First Paragraph

In the Office Action, the Examiner rejected Claims 1-14 and 28-56 under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way to reasonably convey to one skilled in the art, at the time the application was filed, that the inventor had possession of the claimed invention. Applicants respectfully traverse this rejection at least because the claims as originally filed are considered a part of the specification and because the allegedly unsupported recitations were included in the claims as originally filed. Therefore the specification is not silent with respect to these recitations as alleged by the Examiner.

III. Rejection of the Claims Under 35 U.S.C. § 112, Second Paragraph

In the Office Action, the Examiner rejected Claims 15-27 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as their invention. Claim 15 has been amended, and Applicants respectfully submit that the amendment overcomes this rejection and adds no new matter.

IV. Rejection of the Claims Under 35 U.S.C. § 102(e)

In the Office Action, the Examiner rejected Claims 1, 3, 5, 7, 15, 17, 20, 28, 30, 33, 41, 42, 44, 49, 50, and 52 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,295,522 ("*Boesch*"). Claims 1, 15, 28, 41, and 49 have been amended, and Applicants respectfully submit that these amendments overcome this rejection and add no new matter. Dependent claims 11, 13, 37, 39-40, 48, and 56 have been

amended to comport with amendments made to the independent claims from which they depend. Applicants respectfully submit that these amendments to the dependent claims add no new matter.

Amended Claims 1, 28, 41, and 49 are patentably distinguishable over the cited art in that they recite, for example, at least one credit card account. Similarly, amended Claim 15 is patentably distinguishable over the cited art in that it recites, for example, the surrogate funding source comprising a credit card account.

Certain embodiments of the present invention are directed toward enabling those without access to a credit card, such as, teenage children, to shop and buy at online merchants without requiring a credit card. (See Specification, page 4, lines 11-13.) Moreover, instead of using stored value cards, credit cards may be used as a surrogate funding source as described in certain embodiments of the present invention because stored value cards do not enjoy the functionality of credit cards in many business transactions, particularly electronic commerce purchases. (See Specification, page 3, lines 17-18.) In contrast, with the invention as recited in claims 1, 15, 28, 41, and 49, *Boesch* at least does not teach or suggest a credit card account as a surrogate funding source in electronic commerce. Instead, *Boesch* merely discloses using stored value cards. (See col. 2, lines 59-61.) Accordingly, *Boesch* would not have led to the claimed invention, and independent Claims 1, 15, 28, 41, and 49 patentably distinguish the present invention over the cited art. For at least these reasons, Applicants respectfully request withdrawal of this rejection of Claims 1, 15, 28, 41, and 49.

Dependent Claims 2-14, 16-27, 29-40, 42-48, and 50-56 are also allowable at least for the reasons above regarding independent Claims 1, 15, 28, 41, and 49, and by

virtue of their respective dependencies upon independent Claims 1, 15, 28, 41, and 49. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 2-14, 16-27, 29-40, 42-48, and 50-56.

V. New Claims

Claims 57-66 have been added to more distinctly define the invention to which Applicants are entitled. Applicants respectfully submit that these new claims are allowable over the cited art and that they add no new matter. Support for these new claims can at least be found in the specification on page 63, line 20 through page 64, line 8 and page 26, line 8 through line 18.

VI. Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability.

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Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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